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ABSTRACT

A trend toward increased use of interdistrict collaboratives to provide special education and related services has been noted over the past 2 decades, as school districts, particularly rural districts, face more complex educational demands. A survey of 50 state directors of special education found that 36 states have some form of state-governed interdistrict collaboratives among their school districts, and 33 of these states responded to a follow-up questionnaire. The forms of governance include intermediate education units, Boards of Cooperative Educational Services, and other interdistrict collaboratives established by statute or state board policy. Results showed that 72% of the states with interdistrict collaboratives are rural. The most prevalent service provided to school districts by the collaboratives is personnel development, followed by direct child services and projects for full educational opportunity goals. Survey results also identified common characteristics of collaboratives felt to be functioning very satisfactorily by the state education agencies, versus characteristics for collaboratives viewed less satisfactorily. No particular type of governance structure was found to contain the keys for effective collaboration. An appendix cites state statutes establishing interdistrict collaboratives. (JDD)

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STATE GOVERNANCE SYSTEMS FOR INTERDISTRICT COLLABORATIVES: WHAT MAKES A DIFFERENCE?

A Report of a National Study Conducted By

Ruth Fletcher, Jack T. Cole
New Mexico State University
Department of Special Education/Communication Disorders
and
Arlene Strumor
New Mexico State Department of Education
Office of General Counsel

Prepared For
National Association of State Directors of Special Education

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About the Authors:

Ruth Fletcher, MA, is a doctoral candidate at New Mexico State University majoring in Special Education with Educational Management and Development as her related field after serving with the New Mexico State Department of Education for 16 years. Her last position was as Assistant State Director of Special Education for Planning and Program Development. During her tenure, New Mexico initiated regional center cooperatives under the authority of the State Board of Education. Ms. Fletcher has an ongoing interest in rural special education and has presented before the National Rural Educators Association and the American Council of Rural Special Educators.

Jack T. Cole, PhD, is professor in the Department of Special Education/ Communication Disorders at New Mexico State University. He has worked in the field of regular and special education for 24 years as an elementary teacher, counselor, school psychologist and special educator. He has published, taught, consulted and directed grants in the field of special education. Cole was director of the ERIC Clearinghouse on rural education and small schools and is an editor for journals on rural education and special education.

Arlene Strumor, J.D., has been Deputy Legal Counsel for the New Mexico State Department of Education since 1984. In that position she serves as counsel to the Department in special education policy matters among other duties.

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STATE GOVERNANCE SYSTEMS FOR INTERDISTRICT COLLABORATIVES: WHAT MAKES A DIFFERENCE?

Table of Contents

		PAGE
Problem		*1*
Purpose		*1*
Method		*1*
Follow-up		*2*
Definitions		*2*
Findings in States Reporting State Authorized for Interdistrict Collaboration		*3*
Types of Governance Structures in States		*4*
Figure 1:	*States With Formal Systems of Governance for LEA Collaboratives*	*5*
Figure 2:	*Rural States With and Without Formal Governance Systems for LEA Cooperatives*	*6*
Table 1:	*Type of Authorization for LEA Collaborative by State*	*7*
Table 2:	*Type of Primary Authorization*	*8*
State Authorization of Collaboratives		*9*
Rural vs Non-Rural States with Authorized Governance Systems for Interdistrict Collaboratives		*9*
Table 3:	*Listing of Rural States by Governing Activity*	*10*
Types of Services Offered by Interdistrict Collaboratives		*11*
SEA Levels of Satisfaction with Existing Interdistrict Collaborative Systems in Meeting Requirements of EHA-B		*11*
Table 4:	*Types of Service Offered Through Collaboratives*	*12*
Table 5:	*SEA's satisfaction with LEA Collaborative System*	*13*
Table 6:	*SEA Satisfaction by Type of Collaborative System*	*14*
Guidelines Characteristic of Collaboratives Viewed as Working Very Satisfactorily vs. Guidelines of Collaborative Systems Viewed Less Favorable		*15*
Table 7:	*Characteristics of State Guidelines and Policies Governing Collaboratives*	*16*
Summary		*17*
Appendix A:	*Citations of State Statutes Establishing Interdistrict Collaboratives*	*19*

STATE GOVERNANCE SYSTEMS FOR INTERDISTRICT COLLABORATIVES: WHAT MAKES A DIFFERENCE?

The Education of the Handicapped Act-Part B (Public Law 94-142 as amended) requires that local education agencies (LEAs) generating less than $7,500 through the child count formula either: (a) submit consolidated applications or (b) use the State Education Agency (SEA) to provide the child services directly to eligible students. [20 U.S.C. Sec. 1414 c(1) (2)(A) (B)(C)].

The Act also specifies that the SEA is responsible for assuring that the requirements of Public Law 94-142 are carried out and that all educational programs for handicapped children within the state, including all such programs administered by any other state or local agency, are under the general supervision of the persons responsible for educational programs for handicapped children in the SEA and meet education standards of the SEA [20 U.S.C. Sec. 1412 (6)].

A trend toward increased used of interdistrict collaboratives to provide special education and related services has been noted over the past two decades as districts, particularly rural districts, face more complex educational demands.

Problem

Although all fifty states and the trust territories are affected by the requirements and limitations of flow-through entitlement funds under EHA-B, limited information is available as to the mechanisms used by state education agencies (SEAs) to meet the minimum allocation requirement of Act and to enable collaborative efforts among local education agencies (LEAs)

Purpose

This study was conducted with all fifty states for the purpose of increasing the amount of information available to state level administrators, legislators and other policy makers regarding existing statutes, standards, policies and practices across the states for the formation or enhancement of LEA interdistrict collaboratives.

Method

The information upon which this report is based was gathered through questionnaires mailed to all state directors of special education. The initial survey was conducted between November 1987 and March 1988. A follow-up survey was conducted in the fall of 1988 with the thirty-six states which reported some form of state governed interdistrict collaboratives among their school districts for the provision of special education and related services. The trust territories and the District of Columbia are single school districts, therefore, they were not included in the collection or analysis of data on interdistrict collaboratives. All fifty (100%) states responded to

the initial questionnaire. Thirty-three (92%) of the thirty-six follow-up states (those with intermediate education units (IEUs), Boards of Cooperative Educational Services (BOCES) or other interdistrict collaboratives established by statute or state board policy) participated in the follow-up study and responded to the second questionnaire.

Follow-up

The follow-up questionnaire was mailed to the 21 states with BOCES or IEUs and 15 states with other legislated or SBE regulated governance systems. A comparison was made of the responses from 33 SEAs of the 36 states surveyed to identify unique characteristics of effective collaboratives.

The 12 item questionnaire was comprised of seven statements representing the positive attributes reported by states in the initial study, and five statements representing negative attributes or barriers to satisfactorily functioning interdistrict collaboration as identified by the state directors of special education or their designees. The questionnaire is placed in the appendix for review.

Results of the follow-up study were analyzed using a Fisher Exact Probability Test to identify common characteristics of guidelines and regulations of collaboratives identified as functioning very satisfactorily by the SEA vs. characteristics found in guidelines and regulations for collaboratives viewed less satisfactorily.

Definitions

Interdistrict collaborative efforts, for the purpose of the surveys and data analysis, were categorized under four state governance structures:

1. **IEUs or BOCES.**

   Any public authority, other than an LEA, which is under the general supervision of an SEA and established by state law for the purpose of providing free public education on a regional basis [20 U.S.C. Sec. 1401(22)].

2. **State Board of Education (SBE) Regulated Cooperatives.**

   Interdistrict programs established by standards of a state board of education and under SBE guidelines. This category includes SBE authorized joint power agreements (JPAs). LEAs remain responsible for the provision of free appropriate public education.

3. **Statutorily Established Consortia/Cooperatives.**

   Multidistrict programs established by state statutes and designed (a) to provide participating LEAs with joint responsibility for implementing programs or (b) to be a political subdivision of the SEA. The consortia/cooperative structure does not function in the place of local education agencies.

4. **Consolidated Applications under Education of the Handicapped Act Part B.**

   Joint applications formed to acquire federal funds under the Handicapped Act when the SEA determines that any individual district application will be disapproved because such LEA is ineligible to receive payments because it does not generate $7,500 under the child- count formula (20 USC Section 1411(c) (4) (A) (i). Such cooperative applications provide programs for participating districts receiving payments under EHA-Part B.

Some states may have educational service centers (e.g., Washington) which are basically arms of the SEA and whose primary duties are monitoring, planning and providing technical assistance. Such centers are still reported as collaboratives. Their duties and responsibilities will be defined differently.

Findings in States Reporting State Authorized Systems for Interdistrict Collaboration

With all 50 SEAs responding, 36 states (72%) identified state governed systems. "State governed" or "authorized" systems include those states with IEUs, BOCES, other statutorily established interdistrict collaboratives and SBE established cooperatives (Figure 1).

Types of Governance Structures in States

Of the 36 states reporting interdistrict collaboratives:

- 21 states (42%) reported IEUs or BOCES (i.e., CA, CO, CT, IA, KS, LA, MA, MI, MN, MO, NJ, NY, ND, OR, PA, RI, SD, TX, VA, WV, and WY);
- 9 (18%) identified legislated collaboratives other than IEUs or BOCES (i.e., FL, IL, IN, NE, NH, OK, SC, VT, and WI); and
- 6 (12%) indicated SBE regulated cooperatives (i.e., AR, GA, ME, NM, NC and WA).
- 8 states (16%) reported other than state-wide collaborative systems such as EHA-B applications or contracts (i.e., AK, AZ, DE, MS, MT, NV, OH, and UT); and
- 6 states (12%) reported no formalized state authorized systems of collaboration as of the 1988-1989 school year (i.e., AL, HI, ID, KY, MD, and TN). (See Tables 1 and 2.)

State governance systems are continuously changing. For example, Vermont's system of collaboratives changed from a state operated program to a voluntary system among LEAs as of July 1, 1989, by statutory amendment (See Appendix A).

FIGURE 1

STATES WITH FORMAL SYSTEMS OF GOVERNANCE
FOR LEA COLLABORATIVES

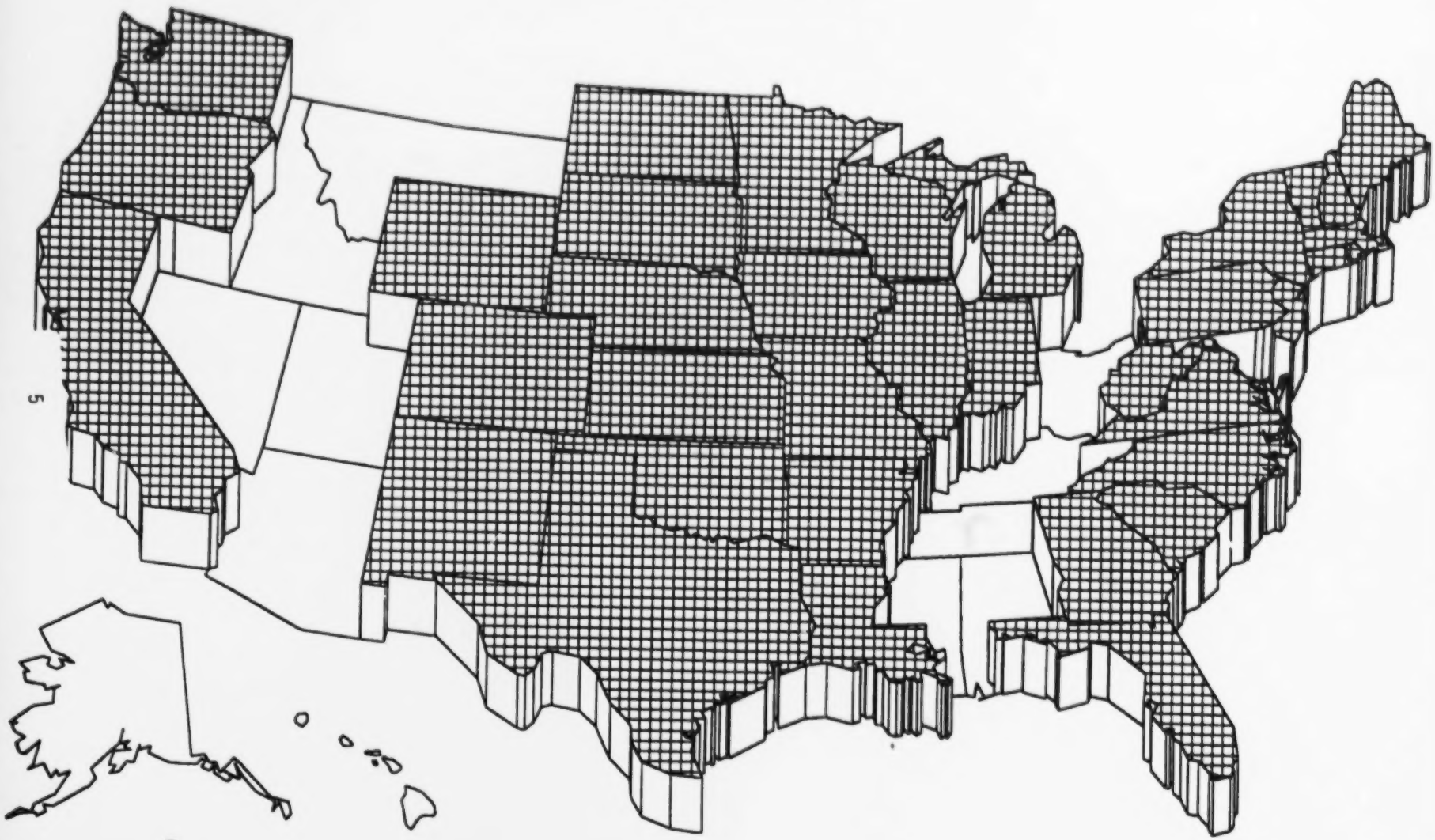

FIGURE 2

RURAL STATES WITH AND WITHOUT FORMAL GOVERNANCE SYSTEMS FOR LEA COOPERATIVES

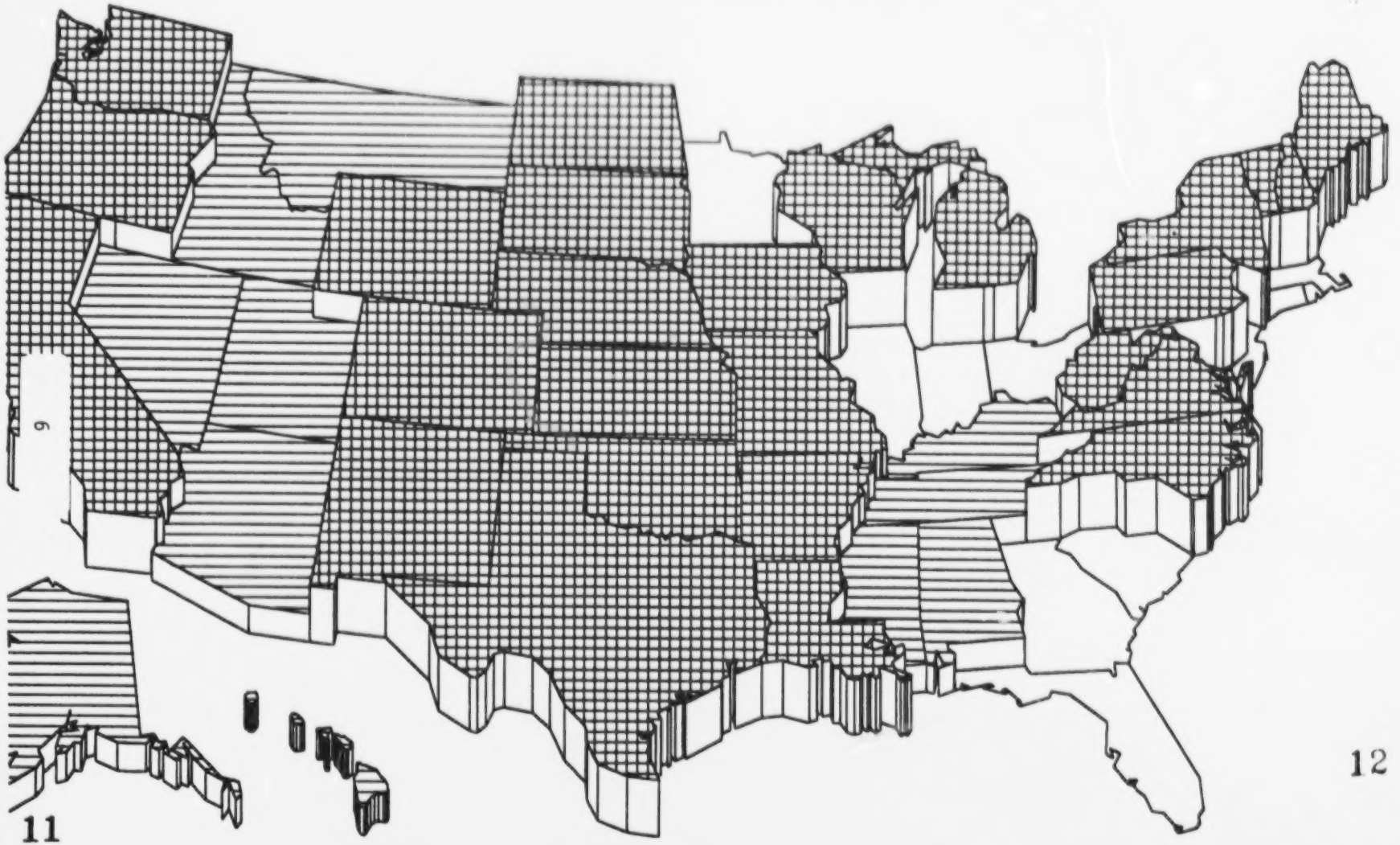

TABLE 1

TYPE OF AUTHORIZATION FOR LEA COLLABORATIVES BY STATE

1 State	2 Legislate IEU's BOCES	3 Legislate Systems Other Than IEU's/BOCES	4 SBE Regulated Coop	5 Other Systems (State Plan)	6 No State Guidelines	1 State	2 Legislate IEU's BOCES	3 Legislate Systems Other Than IEU's/BOCES	4 SBE Regulated Coop	5 Other Systems (State Plan)	6 No State Guidelines
[illegible]					Yes	MT				Yes	
[illegible]				Yes		NE		Yes			
[illegible]				Yes		NV				Yes	
[illegible]			Yes			NH		Yes			
[illegible]	Yes					NJ	Yes				
[illegible]	Yes					NM			Yes		
[illegible]	Yes					NY	Yes				
[illegible]				Yes		NC			Yes		
[illegible]		Yes				ND	Yes				
[illegible]			Yes			OH				Yes	
[illegible]					Yes	OK		Yes			
[illegible]		Yes			Yes	OR	Yes				
[illegible]		Yes				PA	Yes				
[illegible]	Yes					RI	Yes				
[illegible]	Yes					SC					
[illegible]	Yes				Yes	SD	Yes				
[illegible]			Yes			TN	Yes				
[illegible]	Yes					TX				Yes	
[illegible]	Yes				Yes	UT	Yes				
[illegible]	Yes					VT					Yes
[illegible]	Yes					VA	Yes				
[illegible]	Yes					WA				Yes	
[illegible]	Yes					WV	Yes				
[illegible]	Yes			Yes		WI		Yes			
[illegible]	Yes					WY	Yes				
							21	9	6	8	6

TABLE 2

TYPE OF PRIMARY AUTHORIZATION BY NUMBER AND PERCENT OF STATES	(N = 50)	
	No.	%
a. Legislated IEUs and BOCES	21	42
b. Other Legislated Collaboratives	9	18
c. State Board of Education Regulated Cooperatives	6	12
d. Other Systems (e.g. EHA-B State Plan, Contracts)	8	16
e. No Formalized State System	6	12

State Authorization of Collaboratives in Relation to the Enactment of Public Law 94-142 (EHA-B)

Of the 21 states reporting legislated IEUs or BOCES, 16 states (CO, CT, IA, KS, MA, MI, MN, MO, NJ, NY, OR, PA, RI, TX, WV, and WY) established IEUs or BOCES for consolidating resources among districts prior to the enactment of Public Law 94-142. Since the enactment of the Act, five other states (CA, LA, ND, SD, and VA) have legislated IEUs or BOCES for an increase of 24% in the number of states with IEUs or BOCES since 1975. Currently fifteen other rural states have legislation and state board of education regulations establishing formal systems of collaboration among LEAs in order to deliver special education and related services.

Rural vs. Non-Rural States with Authorized Governance Systems for Interdistrict Collaboratives

Thirty-seven of the 50 states self-identified as predominantly rural based on the definition of "rural" by the Small/ Rural Education Review Panel, 1982.

> A 'rural state' is defined as a state composed primarily of school districts serving a rural community or county where 60% or more of the communities are rural. A community may be considered rural if it meets one of two criteria: (a) isolation--25 miles or more from a town of 50,000 and not a standard metropolitan statistical area (SMSA) or (b) population sparsity--200 or fewer residents per square mile.

Twenty-six or 72% of the states with state established interdistrict collaboratives report at least 60% of their school districts serving rural areas (Figure 2).

These 26 rural states include 16 states (43%) which have BOCES or IEUs (CA, CO, IA, KS, LA, MI, MO, ND, NY, OR, pA, SD, TX, VA, WV, & WY); five states with other statutorily established collaboratives that do not function as intermediate district status (NE, NH, OK, VT and WI) ; and state board of education (SBE) established collaboratives in AR, ME, NC, NM, and WA (Table 3).

TABLE 3: LISTING OF RURAL STATES BY GOVERNING AUTHORITY

STATE	PRIMARY GOVERNANCE					
FREQUENCY	S.B.E	OTHER	STATUTES	NONE	IEU/BOCS	TOTAL
ALASKA		YES				1
ALABAMA				YES		1
ARKANSAS	YES					1
ARIZONA		YES				1
CALIFORNIA					YES	1
COLORADO					YES	1
HAWAII				YES		1
IOWA					YES	1
IDAHO				YES		1
KANSAS					YES	1
KENTUCKY				YES		1
LOUISIANA					YES	1
MAINE	YES					1
MICHIGAN					YES	1
MISSOURI					YES	1
MISSISSIPPI		YES				1
MONTANA		YES				1
NORTH CAROLINA	YES					1
NORTH DAKOTA					YES	1
NEBRASKA			YES			1
NEW HAMPSHIRE			YES			1
NEW MEXICO	YES					1
NEVADA		YES				1
NEW YORK					YES	1

Types of Services Offered by Interdistrict Collaboratives

The most frequently provided service by collaboratives (both rural and non-rural) on behalf of their member school districts is personnel development (82%). The second most frequently provided services are tied at 75 percent: (a) direct special education and related services and (b) projects for full educational opportunities (e.g., curriculum development). The third most frequently provided services at 70 percent are: (a) indirect support to special education, (b) planning assistance to LEAs, (c) administration of EHA-B funds and (d) administration of state funded programs.

Over 50% of the collaboratives provide child find services for out-of-school children suspected of being handicapped while less than 40% of collaboratives provide special education for private school students or administer other federal or state programs (e.g., P.L. 89-313, Vocational Special Needs) (See Table 4).

In comparing the state legislated or regulated collaboratives identified as functioning "very satisfactorily" with collaboratives identified less favorably ("not satisfied" or "neutral"), the attribute, "administration of projects under EHA-B" was the only service significantly different between collaboratives viewed satisfactorily by their state directors of special education and those collaboratives viewed as less successful. This "satisfaction" criteria was analyzed further in the second study.

SEA Levels of Satisfaction with Exiting Interdistrict Collaborative Systems in Meeting Requirements of EHA-B

When SEA directors of special education or their designees were asked if they are: " (a) not satisfied, (b) neutral, or (c) very satisfied" with the ability of their present interdistrict collaborative systems to address Public Law 94-142 compliance issues; 26 SEAs (52%) reported that they are "very satisfied", 12 (24%) are neutral regarding their systems for LEA collaboration, 3 (6%) are "not satisfied", and 9 (18%) of the 36 SEAs surveyed did not respond to that particular question (Table 5).

The most frequently reported mechanism for LEA collaboration is the IEU, with which the 21 user SEAs report that 57% are "very satisfied" with their IEU system. Legislated regional cooperative or consortia states report that 67% of the SEAs are highly satisfied with their collaboratives. SBE regulated centers or cooperatives and "other processes", such as SEA contracts with LEAs, have only 33% and 50% of their SEAs, respectively, rating the systems as highly satisfactory. Of the six states with no guidelines for cooperatives, 33% of the SEAs are satisfied to leave collaborative efforts to LEA initiatives (See Table 6). The data in Tables 5 and 6 reflect the 1988-1989 academic year.

TABLE 4: TYPES OF SERVICES OFFERED THROUGH COLLABORATIVES

Comparison of Services Provided LEAs through Established Collaboratives		National # States	Responses (n=44) % Rep.
1.	Direct Special Education	33	75%
2.	Indirect Support to Special Education	31	70%
3.	Personnel Development	36	82%
4.	Child Find for Out-of-School Children	26	59%
5.	Projects for Full Ed. Opportunities	33	75%
8.	SPED for Private School Students	17	39%
9.	Technology Assist.	26	14%
10.	Planning Assist.	31	70%
11.	Other Uses *	17	39%
12.	Administer EHA-B Funds	31	70%
13.	Administer State Funded Progs.	31	70%

* Examples of other administered services include program start-up costs, P.L. 89-313, vocational special needs, etc.

TABLE 5

SEAS' SATISFACTION WITH CURRENT LEA COLLABORATIVE SYSTEMS

Level of SEA Satisfaction	No. of States	(N=50) %
a. Very Satisfied	26	52
b. Neutral	12	24
c. Not Satisfied	4	8
d. Not Responding	8	16

TABLE 6

SEA SATISFACTION BY TYPE OF COLLABORATIVE SYSTEM

Collaborative Systems	(N=50) States	Very Satisfied No.	Very Satisfied %	Neutral No.	Neutral %	Not Satisfied No.	Not Satisfied %	No Response No.	No Response %
a. Legislated IEUs and BOCES	21	12	57	8	38	1	5	--	--
b. Other Legislated Collaboratives	9	6	67	1	11	1	11	1	11
c. SBE Regulated Regions/Coop.	6	2	33	1	17	1	17	2	33
d. Other State Authority (EHA-B Plan, Contracts)	8	4	50	2	25	--	--	2	25
e. No State Guidelines	6	2	33	--	--	1	17	3	50

Guidelines Characteristic of Collaboratives Viewed as Working Very Satisfactorily vs Guidelines of Collaborative Systems Viewed Less Favorable

Although legislated collaboratives other than IEUs or BOCES have the highest satisfaction rate at 67%, it appears that no single governance system for interdistrict collaboratives emerges as the panacea for all states seeking to satisfactorily meet the requirements of Public Law 94-142. However, some characteristics of governance rules are significantly different between collaboratives seen as very satisfactory and those collaboratives which are perceived less satisfactorily.

Characteristics of established rules or guidelines for formal collaboratives viewed by their SEA directors of special education or designee as functioning very satisfactorily compared to guidelines for collaboratives viewed less satisfactorily do differ (Table 7).

The probability is that governance systems which contain (a) prior approval of operational procedures by the SEA, and (b) have a primary revenue base on which to function rather than depending solely on various contracts from LEAs and other solicited sources will be viewed as functioning more satisfactorily.

Two other characteristics merit additional study as a result of this exploratory study: (a) direct staff employment capabilities and (b) the need for state level operational guidelines.

TABLE 7: CHARACTERISTICS OF STATE GUIDELINES AND POLICIES GOVERNING

Comparison of Selected Collaborative Characteristics	National Responses (n=33)				
	# NO	%	# YES	%	NR
1. SEA Controls Membership Configuration	20	60.6	13	39.4	
2. Staffs Responsive to LEA Members	6	18.8	26	81.3	1
3. SEA Approves Operational Procedures *	14	43.8	18	56.3	1
4. Staff Employed Directly + Not Thru LEAs	5	15.2	28	84.8	
5. Serve as General Purchasing Agent	16	48.5	17	51.5	
6. Receive State Funding Directly	12	36.4	21	63.6	
7. Cooperative Grant Applications Submitted	6	18.2	27	81.8	
8. Primarily Function on Single Revenue Base *	20	66.7	10	33.3	3
9. Membership Changes Frequently (yr to yr)	25	78.1	7	21.9	1
10. Data Responsibility Different than LEAs	10	31.3	22	68.8	1
11. Function without State Guidelines +	31	93.9	2	6.1	
12. Fiscal Regulations More Stringent than for LEAs	30	93.8	2	6.3	1

* Statistically significant difference between Collaboratives reported functioning satisfactorly and Collaboratives with which SEAs were neutral or not satisfied with performance. A Chi Square was calculated at a .20 level of significance (x^2 value $\geq$ 1.642).

Summary

What we have learned from the SEAs is that 72% of the states with interdistrict collaboratives are rural. A majority of formal state-wide systems of interdistrict collaboratives were in place before Public Law 94-142 was enacted, but a 24 percent growth rate in IEUs and BOCES has occurred since 1975.

Only ten of the thirty-six states with collaboratives are non-rural. The most prevalent service provided to LEAs via their collaboratives is personnel development (82%). The second most frequently offered services are direct child services (special education and related services) and projects for full educational opportunity goals (e.g., curriculum planning); and the third most frequent type of services are indirect support services, planning assistance and administration of EHA-B projects and state programs (70%).

No particular type of governance structure contains the keys for effective collaboration; however, particular characteristics appear to be associated with successful collaboratives: (a) required SEA prior approval of operational procedures, (b) assurance of a primary revenue base, and (c) administration of EHA-B funds and programs.

Two other characteristics merit additional study: (a) direct employment of staff and (b) state established guidelines for the operation of interdistrict collaboratives.

Note: For state directors of special education, state board of education members or other policy makers desiring additional information on collaboratives, Appendix A contains specific citations for the 36 states with statutorily established systems of governance.

APPENDIX A

Appendix A

Citations of State Statutes Establishing Interdistrict Collaboratives

California:
California Education Code Section 56170 (West 1978)

Colorado:
Colorado Revised Statutes Section 22-5-101 et seq. (1973)

Connecticut:
Connecticut General Statutes Section 10-66a et seq. (1989)

Florida:
Florida Statutes Section 229.832 (1987)

Illinois:
Illinois Revised Statutes Ch. 122, Section 3-15.14 (1978); Illinois Revised Statutes Chapter 122, Section 24-1 et seq (1978)

Indiana:
Indiana Code Annotated Section 20-5-11-2 (Burns 1985)

Iowa:
Iowa Code Section 273 (1987)

Kansas:
Kansas Statutes Annotated Section 72-8230 (1985)

Louisiana:
Louisiana Revised Statutes Annotated Section 17:1941 (West 1982)

Massachusetts:
Massachusetts Statutes 770-7469 et seq.

Michigan:
Michigan Comp. Laws Section 380.601 et. seq.

Minnesota:
Minnesota Statutes Section 123.58 (1988)

Missouri:
Missouri Revised Statutes Section 162.815 (1986)

Nebraska:
Nebraska Revised Statutes Section 79-2201 et seq. (1943)

New Hampshire:
New Hampshire Statutes Annotated Section 79:3319 (1983)

New Jersey:
New Jersey Statutes Annotated Section 18A-46 (West 1969)

New York:
New York Education Law Section 1950 (Consol. 1985)

North Dakota:
North Dakota Cent. Code Section 15-59 -05.2 (1981)

Oklahoma:
Oklahoma Statutes Annotated Title 70. Section 13-101 (1983)

Oregon:
Oregon Revised Statutes Chapter 334 (1978)

Pennsylvania:
School Laws of Pennsylvania, Article 18-A, Intermediate Units

Rhode Island:
Rhode Island General Laws Section 16-3.1 et seq. (1956)

South Carolina:
South Carolina Code Annotated Section 59-33-50 (Law. Co-op.)

South Dakota:
South Dakota Codified Laws Annotated Section 13-5-31 (1982)

Texas:
Texas Board of Education Rule 11.32(a)

Vermont:
Vermont Statutes Annotated Title 16, Section 701 et seq. (1974)

Virginia:
Code of Virginia 22.351-358

West Virginia:
West Virginia Code Section 18-2-26 (1966)

Wisconsin:
Wisconsin Statutes Annotated Section 39.51 et seq. (West 1987)

Wyoming:
Wyoming Statutes Chapter 20, Section 21-20-101 et seq. (1977)